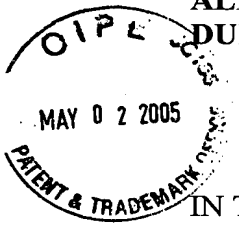


PATENT

**ALREADY SUBMITTED TO OFFICE OF PETITIONS
DUPLICATE SUBMISSION FOR IDS REVIEW**



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

ALBERT GORDON ANDERSON ET. AL.

CASE NO.: CL1960 US NA

SERIAL NO.: 10/699329

GROUP ART UNIT: 1755

FILED: OCTOBER 31, 2003

EXAMINER: ANTHONY J. GREEN

FOR: COPPER COMPLEXES AND THEIR USE AS WOOD PRESERVATIVES

PETITION TO WITHDRAW AN APPLICATION FROM ISSUE
UNDER 37 CFR 1.313(C)(2)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants petition to withdraw the above cited application from issue under 37 CFR 1.313(c)(2) in consideration of the accompanying request for continued examination (RCE).

The accompanying RCE complies with 37 CFR 1.114(c) by including the submission of an Information Disclosure Statement (IDS) and the appropriate fee.

Applicants hereby authorize the Commissioner to withdraw from, or credit, Deposit Account 04-1928 (E.I. du Pont de Nemours and Company) all applicable fees for the entry of this petition and accompanying RCE, including the petition fee under 37 CFR 1.17(h) and the RCE fee under 37 CFR 1.17(e).

Applicants respectfully request further consideration of the above cited application in light of the following:

Remarks, which begin on page 2.

Accompanying RCE transmittal, attached herewith

Information Disclosure Statement, attached herewith

PTO Forms SB/08, attached herewith

REFERENCES, attached herewith

REMARKS

Claims 1 – 27 are pending in the application and were allowed in a Notice of Allowance mailed 18 Jan 2005. The issue fee was timely paid 14 Apr 2005 and received by the USPTO 18 Apr 2005.

On 22 Apr 2005, Applicants' representative discovered that no Information Disclosure Statement (IDS) had been filed in this application.

Not filing an IDS in this application was an inadvertent omission owing to the fact that the attorney previously responsible for prosecution of this application had recently left the employ of the assignee, E.I. du Pont de Nemours and Company. This application, as well as others, previously assigned to the leaving attorney had been re-assigned in the beginning of March 2005 to outside counsel, which consequently experienced an overload of responsibilities and overlooked submitting an IDS before paying the issue fee.

That the IDS had not been filed in this application was unnoticed by Applicants' representative below until 22 Apr 2005, four days after the PTO's receipt of the issue fee. It became noticed upon the assignee's conducting its customary due diligence to insure that all relevant information had been sent to the examiner and necessary fees paid.

Immediately upon noticing the absence of an IDS, applicants' representative below prepared this petition and the accompanying RCE.

Owing to the inadvertence of the omission, and Applicants' immediate action upon discovery of it, Applicants respectfully request the granting of this petition in light of the accompanying RCE and IDS submission. As the issue fee has been paid, Applicants further solicit a prompt resolution of the petition to avoid patent publication during the resolution period.

Respectfully submitted,



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Dated: May 2, 2005